Secott. II-29—35,000—2-11-26.

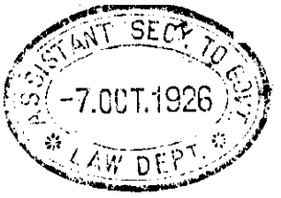
Revenue **(1927) Department.**

Mis. SERIES.

G.O. No. 908

DATED 13. 5. 1927

[Despatch Abstract.]



To

The Secretary to Government,

Law Department,

M A D R A S.

Honoured Sir,

The humble mahazar of the Mahammadan residents of Hospet Town in the Bellary District most respectfully showeth

1. That there is a Cemetry of a Mahammadan Saint in the compound of the residential quarters of the Sub Collector Hospet Division.

2. That this Cemetry is visited by the disciples both male and female of our community in numbers very often for offering prayers and in performing other religious rites.

3. That it is highly objectionable to the sentiments of our religion for the perdashion ladies to go and visit the said cemetry exposing themselves to the gaze of the people residing in the bungalow.

4. That it also restricts the free offering of our prayers being within $earshot of the occupiers of the bungalow who can at any time stop the sayings of the prayer in high tones

5. That it is therefore proposed by our community to enclose the said cemetry with a compound wall having a separate road leading to it through the eastern site of the

said

said cemetry.

6. That with this object in view, some of the members of our community approached the Executive Enginee Bellary for favour of permission to have certain repairs e cuted to that cemetry and to erect a compound wall. To this request the petitioners got an endorsement through the Sub Collector, Hospet, that the Executive Engineer was not in favour of complying with the request.

7. That the residents now beg leave to approach the Government with a view that it will be pleased to call for a plan of the site, enquire into the matter and grant permission prayed for.

Law (Genl)

ance ut

We beg to remain,
Honoured Sir,
Your most obedient servants,

(C)

Law (Genl) Dis 3318-1
8 1026

Copy submitted direct to save delay.

30177
9.X.2

Chanda Hussain Sahib

ASSISTANT SECRETARY TO GOVT.
8 OCT 1926
FINANCE DEPARTMENT

926

Put 26/10.

3947 A/26.

Alienation - Land. Bellary. Hospitalisation - Sub-Asstt's quarters - Muhm. Cemetery in the Compound. Permission to erect Compound wall - Petn from Muhammadan residents of nil.

Endt 3947 A/26-1 dy 26-10-26

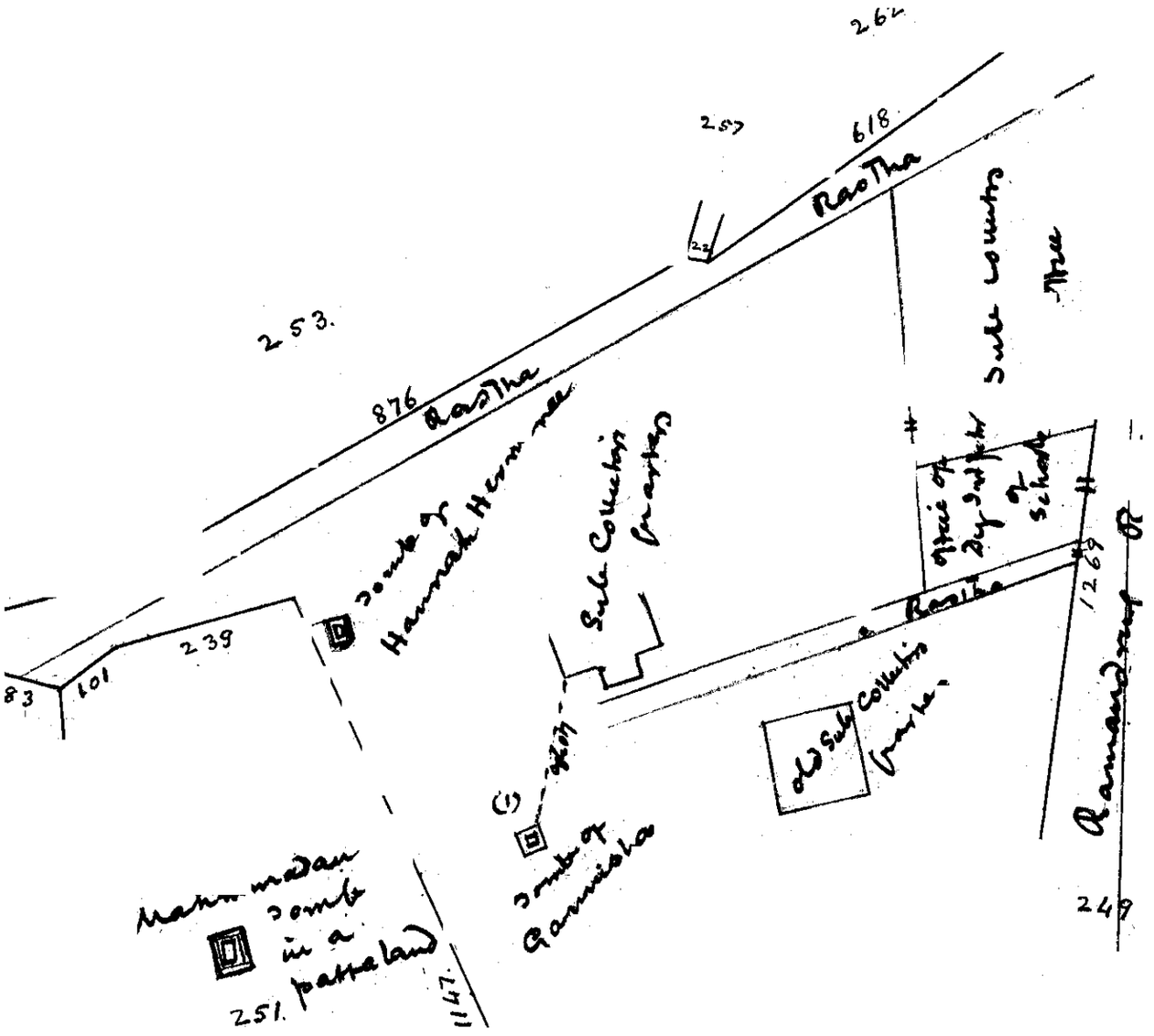
Referred to the Board of Revenue for remarks.

CRP
31/22.10.26.

Board of Rev & RDS.

(with a petn in original to be returned)

26 OCT 1926


262
257
618
Rastha
253.
876
Rastha
Sub Collectors Quarters
Rastha
239
101
83
Sub Collectors Quarters
Rastha
1269
249
Ramanadapuram
251.
1147

Revenue - **DEPARTMENT.**

CURRENT No. 1172-A

Received 24MAR1927 192 *Registered* 24-3-27 192

Subject.

Land - (Bellary) - Hospet Division - Sub Collector's quarters - Muhammadan Cemetery in the compound - Petition to erect compound wall.

ENCLOSURES
No.
Spare copies.

Reference-No.8238/26.3,

Station Madras, *Dated the* 21st March 192

From W. SCOTT BROWN, ESQUIRE, I.C.S.,

Secretary - Land Revenue. and

~~The~~ Board of Revenue, ~~Revenue~~ Settlement, ~~etc~~.
~~Separate Revenue~~

H.A.B.Vernon Esquire, I.C.S., Commissioner of Land Revenue.

~~Reference~~
Reference.

Reference.- Government Endorsement No.3947 A/26-1, dated the 26th October 1926.

The petitioners addressed a similar petition to Government through the Collector, but he did not forward the petition and refused to comply with their request - vide his office D.Dis.No.C-5246/26-B.5, dated the 8th November 1926. His reason for rejecting the petition was that the raising of a wall within a short distance of the front verandah of the residence would be objectionable. The tomb referred by the petitioners is situated at a distance of about 40 yards from the bungalow and both the bungalow and the tomb are situated in S.No.252 of Hospet village which is classed

as 'Bungalow Poramboke' in the revenue accounts - vide sketch enclosed. There was once a 'dargah' in this field and this dargah was used as the residence of the Sub - Collector (formerly Head Assistant Collector) before his new residence was constructed - vide G.O.No.130 Revenue, dated 19th February 1891. There is no information as to when the tomb came into existence or what history lies behind it but from the fact that there was a 'dargah' on the land it may be presumed that the tomb is of some importance to Muhammadans. This, however, does not confer on them any further privileges than they have been enjoying hitherto. Apparently Muhammadan pilgrims have been allowed to visit the tomb. They now request permission to have certain repairs executed to it and to erect a compound wall. The Board considers that permission to erect a compound wall should be refused in view of the proximity of the tomb to the Sub Collector's bungalow, and that the Collector's order in this respect may stand. It sees no objection however to granting permission to carry out such repairs as are approved by the Sub Collector without making any alterations or additions to the present structure of the tomb.

Secretary.

To the Secretary to Government, Revenue Department, with

(1) a copy of the Collector's letter, dated 1-2-1927
(2) a petition in original returned,
(3) a Dis File to be returned, and
(4) a sketch.

C.N.N./22-3-1927.

Letter from C.D.A.Crofton Esquire, I.C.S., Collector of Bellary, Ref.C.No.5953/26, dated the 1st February 1927.

Alienation - land - Hospet - Sub Collector's quarters - Muhammadan cemetery in the compound - permission to erect a compiund wall - report submitted.

_oard's Reference C.No.8238/26.2 dated 8-12-1926.

::

The Muhammadan tomb referred to by the petitioners is situated at a distance of about 40 yards from the bungalow. There is also another tomb in S.No.251 (a patta land) built in chunam and a dome to serve as a canopy. The old Sub Collector's (formerly Head Assistant Collector's) quarters shown in the enclosed sketch which is situated in the same compound, was once a 'Dargah' consisting of huge massive walls. Before the new house for the Head Assistant Collector was constructed this dargah was used as his residence. Please see G.O.No.130 dated 19th February 1891 and B.P.No.5338 dated 14th September 1893. Reference is made of these in the District Gazetteer at page 291. It is stated that Muhammadans who were slain in battles were buried there, but no reliable history about them is available.

The Sub Collector's quarters and the cemetery in question are situated in S.No.252 of Hospet village which is classed as 'Bungalow Poramboke' in the revenue accounts. In the land classification register and in the land register of 1894 this field is shown as ' assessed waste'. It follows - therefore that the land now forming the site and compound of the Sub Collector's bungalow was not acquired. No information is available whether the subject of Muhammadan pilgrims visiting the cemetery was considered.

A plotted sketch of the site is enclosed.

C.N.N./22-3-1927.

Revenue Department

Cons. 3947 A 26

Back papers

G.O. 130 Rev. d. 19 2 1891

Cemeteries & tombs — Muhammadan — (Bellary) Hospet — Sub Collector's Quarters Repairs and Erection of compound wall.

Received by transfer from Finance.

Finance (Eccl)

[Subject—
Petition from the muhammadan residents of Hospet - Cemetery of a Muham.ⁿ Saint in the Compound of the residential Quarters of the Sub Coll.ʳ - Compound wall—]

Law (Genl)

Finance U.O.

K.R.M.
8.x.26.

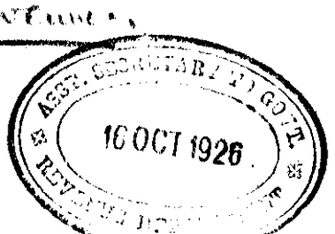
Finance (Eccl)

This dept. is concerned only with the up Keep of Christian Cemeteries and tombs. The petition in the present case is for ~~direction~~ permitting the muhammadan residents to erect a Compound wall around the Cemetery of the muh.ⁿ Saint and to construct a separate road to the cemetery. The proposal in effect amounts to relinquishment of the ~~land~~ around the cemetery for the exclusive use of the muhammadans. Subject that the request of the muh.ⁿ residents is one for consideration in the Revenue Dept and the case may be transferred to that dept

PVP
11.x.26

x: the charges relating thereto are accounted for under "28-Eccl"

Papers relating to alienation of land are dealt with in Revenue.



Rev 3747 A

Transferred vide U.O. 30177 Eccl-1
16.x.26.

To Under Secy

The Board's remarks may be called for. A draft Endt is subt

CRP
21.10.26.

Issued as Endt. 3947 Pub-1 dated 26.10.26.

To US.

This does not appear to be a case in which a report should be called for: Any how as one has already been called for, the Board may be reminded.
A reminder is pointed

5.3.27

To US.

3.27

Board's reply no. 8238-26-3 dated 21-3-27

To R.S. Please see the Board's report at b 13-15 C/F

The Boards recommendation not to permit the erection of the Compound wall may be approved. In regard to the grant of permission for repairs, it is for Subsi that decision whether in addition to the conditions mentioned in the Board's report, a clause may be added to the effect that the permission granted will not confer on the applicant any right either to the tomb or to the land.

Draft accordingly

10.4.27

To R.S.

5/4/27

Draft put up for approval. It may be sent to Board ..... before close.

The [illegible] - only safe - course [illegible] followed to [illegible] the assertion [illegible] rights by the Muhammadans [illegible] the Govt to execute the agreement with money to be deposited by the Muhammadans. I refer according to go to Pub Wks Dept. for acceptance

Revised draft for approval.

MMM 2.5.27

29/4/27.

EP 29/4/27

For acceptance

3.5.27

Put

Put

3947 A/27)

3/5/27

I.D

CHIEF SECRETARY TO GOVT. OF MADRAS
4- MAY 1927

Accepted
4.5.27

Lab no 4.5.27

P.W.D no

P W & L no

Accepted

PJ

3-5-27

6/5

ASST. SECRETARY TO GOVT. PUBLIC WORKS AND LABOUR DEPT.
6 MAY 1927
6 980

UNDER SECRETARY TO GOVERNMENT
-9.-MAY.-1927
REVENUE DEPARTMENT

Rev.

Rev Dept

To Under Secy

The draft order may issue
MMM 10.5.27

S

S. No 176 A/27
9/5/27

9/5/27

6

no fresh

Cwc. 10.5.27.

Sectt. II-5 (b)—9,036—9-11-26 (6)

	Date.	Initials.
When received for Fair-copying.	2 P.M	
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

Revenue DEPARTMENT.

READ AGAIN G.O. No. ....., dated 192

" " " " ..... " 192

READ ALSO:—

C. No. 3947 A/26 From the Chenda Hussain Sahib & others of Hospet, No. ....., dated 7--10-- 1926.

" " ..... " " Board of Rev., L.R. & S. 8238-26-3, 21--3-- 1927.

" " ..... " " ..... " ..... " 192

ORDER.

No. 908, dated 13. 5 1927.

Mis.

Dy Collector
9/11
13.5.27.

Some Muhamadan residents of Hospet have applied for permission to execute certain repairs to ~~the~~ a tomb in S.No.252 of Hospet village, and to erec~~t~~ a ~~compound~~ wall round it.

2. The Board of Revenue considers that permission to erect the ~~compound~~ wall should be refused but it sees no objection to granting permission to the petitioners to carry out such repairs as are approved by the Sub Collector provided that they ~~and which~~ do not involve any alterations or additions to the present structure of

— which is the compound attached to the Sub Collector's bungalow.

of the tomb.

3. The Government agree with the Board of Revenue in its views ~~about~~ concerning the ~~refusal~~ of permission to erect the ~~compound~~ wall with regard to ~~concerning~~ the execut: of repairs they consider that the pro] and only safe course to be followed t(prevent the assertion of rights by the Muhamadans is for the P.W.D. to execu the repairs with money to be deposite(by the petitioners. The Board is the: fore requested to inform the petitioners that the necessary repairs will be executed by the Government if the estimated cost thereof is placed at their disposal.

4. The petitioners are referred to the Board of Revenue for orders on their petition.

MMV
2.5.27

SA
30/4/27

13/5

To the Board of Revenue, L.R. & S
Copy to the P.W.D. Dept.
To V.Chenda Hussain Sahib and others through the Board of Rev. (para 4 only).

Collr's dis file C 5246/1655
D 8-1/26 despatched forward.